

REMARKS/ARGUMENTS

I. NON-PRIOR ART MATTERS.

A. The Office Action rejected claims 1-11 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Office Action states:

Claim 1 does not include enough structure to build an operable device; it is not clear how the parts function together as a bow string release.

Claims need only "reasonably apprise those skilled in the art" for their scope and be "as precise as the subject matter permits."¹ The test of definiteness is whether one skilled in the art would understand the bounds of the claim when read in light of the specification. If the claims read in light of the specification reasonably apprise those skilled in the art of the scope of the invention, §112 demands no more.²

A claim need not describe the invention, such description being provided by the specification's disclosure section.³

Claim 1 has been amended to clarify how the parts function together as a bow string release.

The amended claim, in light of the specification, is not indefinite or incomplete.

Claims 2-6 and 9-11 have been amended to add antecedent basis.

Claim 16 has been amended to fix a typographical error.

¹ *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1385, 231 USPQ 81 (Fed. Cir. 1986)

² id.

³ *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 806 F.2d 1565, 1 USPQ2d 1081 (Fed. Cir. 1986)

II. PRIOR ART MATTERS

A. The Office Action rejected claim 16 under 35 USC 102(b) as being anticipated by Peck. Applicant respectfully traverses this rejection.

A single prior art reference anticipates a claimed invention only if it discloses each and every claim element.⁴

Peck does not disclose: a trigger lever having a constant trigger travel distance.

Contrary to the Examiner's position, Peck at col. 1 line 31 and col. 2 lines 53-56 expressly teaches that the trigger travel is adjustable, not constant.

Claim 16 is therefore allowable.

B. The Office Action rejected claim 17 under 35 USC 102(b) as being anticipated by Bankstahl. Applicant respectfully traverses this rejection.

A single prior art reference anticipates a claimed invention only if it discloses each and every claim element.⁵

Bankstahl does not disclose jaws that rotate independently of the housing. The support head 22 is part of the housing. The jaws 26 and 28 are pivotably mounted on the support head 22 by pivot pins 30 and 32. This prevents the jaws 26 and 28 from rotating independently of the support head 22, which is part of the housing. The Examiner should compare the structure of Bankstahl with that shown in Applicant's drawings. The jaws 30 rotate about pivot ball 76, and therefore are completely free to rotate independently of the housing 40.

Claim 17 is therefore allowable.

⁴ *Structural Rubber Prod. Co. v. Park Rubber Co.*, 749 F.2d 707, 223 USPQ 1264 (Fed. Cir. 1984)

⁵ *Structural Rubber Prod. Co. v. Park Rubber Co.*, 749 F.2d 707, 223 USPQ 1264 (Fed. Cir. 1984)

Applicant thanks the Examiner for indicating that claims 12-14 and 18-22 are allowed.

For the above reasons, Applicant respectfully requests the allowance of all claims and the issuance of a Notice of Allowance.

Respectfully submitted,

Dated: 11/17/03

By Nelson Capes
Gerald E. Helget (Reg. No. 30,948)
Nelson R. Capes (Reg. No. 37,106)
Briggs and Morgan, P.A.
2200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: (612) 977-8480